

QUINN EMANUEL URQUHART & SULLIVAN, LLP

Diane M. Doolittle (CA Bar No. 142046)
dianedoolittle@quinnemanuel.com
Sara Jenkins (CA Bar No. 230097)
sarajenkins@quinnemanuel.com
555 Twin Dolphin Drive, 5th Floor
Redwood Shores, CA 94065
Telephone: (650) 801-5000
Facsimile: (650) 801-5100

Andrew H. Schapiro (admitted *pro hac vice*)
andrewschapiro@quinnemanuel.com
Teuta Fani (admitted *pro hac vice*)
teutafani@quinnemanuel.com
191 N. Wacker Drive, Suite 2700
Chicago, IL 60606
Telephone: (312) 705-7400
Facsimile: (312) 705-7401

Stephen A. Broome (CA Bar No. 314605)
stephenbroome@quinnemanuel.com
Viola Trebicka (CA Bar No. 269526)
violatrebicka@quinnemanuel.com
Crystal Nix-Hines (CA Bar No. 326971)
crystalnixhines@quinnemanuel.com
Alyssa G. Olson (CA Bar No. 305705)
alyolson@quinnemanuel.com
865 S. Figueroa Street, 10th Floor
Los Angeles, CA 90017
Telephone: (213) 443-3000
Facsimile: (213) 443-3100

Josef Ansorge (admitted *pro hac vice*)
josefansorge@quinnemanuel.com
Xi ("Tracy") Gao (CA Bar No. 326266)
tracygao@quinnemanuel.com
Carl Spilly (admitted *pro hac vice*)
carlspilly@quinnemanuel.com
1300 I Street NW, Suite 900
Washington D.C., 20005
Telephone: (202) 538-8000
Facsimile: (202) 538-8100

Jomaire Crawford (admitted *pro hac vice*)
jomairecrawford@quinnemanuel.com
51 Madison Avenue, 22nd Floor
New York, NY 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100

Jonathan Tse (CA Bar No. 305468)
jonathantse@quinnemanuel.com
50 California Street, 22nd Floor
San Francisco, CA 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700

Counsel for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO,
individually and on behalf of all others
similarly situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**GOOGLE LLC'S MOTION FOR LEAVE
TO FILE A SUR-REPLY TO
PLAINTIFFS' REPLY IN SUPPORT OF
THEIR SUPPLEMENTAL SANCTIONS
BRIEF PURSUANT TO DKT. 624 (DKT.
707-1)**

Referral: Hon. Susan van Keulen, USMJ

1 Google LLC (“Google”) respectfully moves for leave to file the short sur-reply attached
 2 hereto as Exhibit 1 to address demonstrably inaccurate statements in Plaintiffs’ Reply in Support of
 3 Their Supplemental Sanctions Brief Pursuant to Dkt. 624 (“Reply”) (Dkt. 707-1).

4 Courts have broad discretion to permit sur-replies and often grant leave to file them to help
 5 “crystalize” the facts and issues for the court. *Radware, Ltd. v. F5 Networks, Inc.*, 2016 WL 393227,
 6 at *2 (N.D. Cal. Feb. 2, 2016); *see also In re: Cathode Ray Tube (CRT) Antitrust Litig.*, 2014 WL
 7 7206620, at *1 n.2 (N.D. Cal. Dec. 18, 2014) (granting leave to file sur-reply “in the interests of
 8 completeness and judicial efficiency”); *Kouchi v. Am. Airlines, Inc.*, 2021 WL 6104391, at *1 (C.D.
 9 Cal. Oct. 27, 2021) (allowing sur-reply because the “proposed sur-reply seeks to correct
 10 misstatements of fact, its inclusion in the record is in the interest of completeness and judicial
 11 efficiency”).

12 As detailed in Google’s proposed sur-reply, Plaintiffs make significant factual misstatements
 13 in their Reply. Google therefore seeks leave to file a short sur-reply to correct Plaintiffs’
 14 misrepresentations and present an accurate record to the Court.

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 16 DATED: September 2, 2022

QUINN EMANUEL URQUHART &
 SULLIVAN, LLP

17
 18 By /s/ Andrew H. Schapiro
 Andrew H. Schapiro (admitted pro hac vice)
 andrewschapiro@quinnemanuel.com
 19 191 N. Wacker Drive, Suite 2700
 Chicago, IL 60606
 Telephone: (312) 705-7400
 Facsimile: (312) 705-7401

20
 21
 22 Stephen A. Broome (CA Bar No. 314605)
 sb@quinnemanuel.com
 Viola Trebicka (CA Bar No. 269526)
 violatrebicka@quinnemanuel.com
 23 865 S. Figueroa Street, 10th Floor
 Los Angeles, CA 90017
 Telephone: (213) 443-3000
 Facsimile: (213) 443-3100

24
 25
 26 Jomaire Crawford (admitted pro hac vice)
 jomairecrawford@quinnemanuel.com
 27 51 Madison Avenue, 22nd Floor
 New York, NY 10010
 Telephone: (212) 849-7000

Facsimile: (212) 849-7100

Josef Ansorge (admitted pro hac vice)
josefansorge@quinnemanuel.com
1300 I Street NW, Suite 900
Washington D.C., 20005
Telephone: (202) 538-8000
Facsimile: (202) 538-8100

Jonathan Tse (CA Bar No. 305468)
jonathantse@quinnemanuel.com
50 California Street, 22nd Floor
San Francisco, CA 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700

Attorneys for Defendant Google LLC